IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

WP(C).No. 31911 of 2007(Y)

PETITIONERS:
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1. ROY FRANCIS, S/O.K.C.FRANCIS,
KURUTHIKULANGARA HOUSE, WADAKKANCHERRY.

2. BENNY K.T., S/O.THOMAS, KUNALIL HOUSE,
WADAKKANCHERRY.

BY ADV. SRI.K.JAYAKUMAR
SRI.P.B.KRISHNAN

RESPONDENTS:
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1. THE DISTRICT COLLECTOR, THRISSUR.

2. THE REVENUE DIVISIONAL OFFICER,
THRISSUR.

3. THE TAHSILDAR, TALAPPILLY TALUK,
WADAKKANCHERRY.

4. THE ADDITIONAL TAHSILDAR,
TALAPPILLY TALUK, WADAKKANCHERRY.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 31911 OF 2007 Y
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Dated this the 26th day of October, 2007

J U D G M E N T

Against Ext.P1 order issued under the Kerala land Conservancy Act, 1957, petitioner has preferred Ext.P2 appeal and Ext.P3 stay petition before the 2nd respondent. The apprehension now voiced is that petitioner is likely to be evicted from the place pending consideration of the appeal.

2. In view of the pendency of the appeal before the Ist appellate authority along with stay petition, I consider that the appeal should be decided before the petitioner is sought to be evicted from the premises.

3. Accordingly, I dispose of this writ petition directing that the 2nd respondent shall consider and pass orders on Ext.P2 appeal, as expeditiously as possible, at any rate within two months from the date of receipt of a copy of this judgment.

In the meantime, further proceedings pursuant to Ext.P1 shall be kept in abeyance.

Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC, JUDGE.

Rp